

track. Programs of joint training and exercises, development of a common operational doctrine, and establishment of inter-operable weaponry, technology and communications would continue, based on more realistic contingencies. Tough issues such as nuclear policy and forward stationing of NATO troops would be discussed in a threat-based framework, one which we hope would remain theoretical.

As the Russian leaders and people make their important choices, they should know that Russian behavior will be a key and relevant factor for NATO's future. This straightforward approach is also important for our citizens, who will have to pay the bills and make the sacrifices required by expanded NATO security commitments.

The profound historical contrast between post-World War I Germany and post-World War II Germany should tell us that neo-containment of Russia is not the answer at this critical historical juncture. If future developments require the containment of Russia, it should be real containment, based on real threats.●

#### CELEBRATING THE CENTENNIAL OF THE CHURCH PUBLIC SCHOOL

● Mr. LEVIN. Mr. President, I am pleased to call the attention of my colleagues to an institution in Michigan that is celebrating their 100th anniversary. On July 9, 100 years ago land for the church school, formally known as Lincoln No. 2, was deeded to the school district by Julius and Sophia Labute for the price of \$49.50. The Huron Tribune posted a notice on June 21, 1895, that requested sealed tenders for the erection of a veneered schoolhouse in District No. 2, Township of Lincoln.

While the complete records of who taught at the school that first year were not preserved, we do know that the school was completed and was most likely in session because of June Nelson who authored the story, *A Long Trek*. The story is one of many in Ms. Nelson's book entitled *"Tales From the Tip of the Thumb."* The story tells of a wagon train leaving from Filion, MI, in October 1895 and the travelers were looking for a map of the United States. One of them remembered that the new Lincoln No. 2 schoolhouse on the corner had such a map in its geography chart and they had no trouble obtaining it in the middle of the night.

For 100 years that schoolhouse on the corner has taught thousands of students the basic building blocks that lead to a life of learning. I congratulate them on a century of success and wish them well as they enter the new millennium with the timeless values that have served them and their students well since the 19th century.●

#### NATIONAL INFORMATION INFRASTRUCTURE PROTECTION ACT OF 1995

● Mr. KYL. Mr. President, I ask that S. 982, the National Information Infrastructure Protection Act of 1995, be printed in the RECORD.

The text of the bill follows:

S. 982

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Information Infrastructure Protection Act of 1995".

#### SEC. 2. COMPUTER CRIME.

Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "knowingly accesses" and inserting "having knowingly accessed";

(ii) by striking "exceeds" and inserting "exceeding";

(iii) by striking "obtains information" and inserting "having obtained information";

(iv) by striking "the intent or";

(v) by striking "is to be used" and inserting "could be used"; and

(vi) by inserting before the semicolon at the end the following: "willfully communicates, delivers, transmits, or causes to be communicated, delivered, or transmitted, or attempts to communicate, deliver, transmit or cause to be communicated, delivered, or transmitted the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it to the officer or employee of the United States entitled to receive it";

(B) in paragraph (2)—

(i) by striking "obtains information" and inserting "obtains—

"(A) information"; and

(ii) by adding at the end the following:

"(B) information from any department or agency of the United States; or

"(C) information from any protected computer if the conduct involved an interstate or foreign communication";

(C) in paragraph (3)—

(i) by striking "the use of the Government's operation of such computer" and inserting "that use by or for the Government of the United States"; and

(ii) by striking "adversely";

(D) in paragraph (4)—

(i) by striking "Federal interest" and inserting "protected"; and

(ii) by inserting before the semicolon the following: "and the value of such use is not more than \$5,000 in any 1-year period";

(E) by amending paragraph (5) to read as follows:

"(5)(A) knowingly causes the transmission of a program, information, code, or command, and as a result of such conduct, intentionally causes damage without authorization, to a protected computer;

"(B) intentionally accesses a protected computer without authorization, and as a result of such conduct, recklessly causes damage; or

"(C) intentionally accesses a protected computer without authorization, and as a result of such conduct, causes damage"; and

(F) by inserting after paragraph (6) the following new paragraph:

"(7) with intent to extort from any person, firm, association, educational institution, financial institution, government entity, or other legal entity, any money or other thing of value, transmits in interstate or foreign commerce any communication containing any threat to cause damage to a protected computer";

(2) in subsection (c)—

(A) in paragraph (1), by striking "such subsection" each place it appears and inserting "this section";

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by inserting ", (a)(5)(C)," after "(a)(3)"; and

(II) by striking "such subsection" and inserting "this section";

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting immediately after subparagraph (A) the following:

"(B) a fine under this title or imprisonment for not more than 5 years, or both, in the case of an offense under subsection (a)(2), if—

"(i) the offense was committed for purposes of commercial advantage or private financial gain;

"(ii) the offense was committed in furtherance of any criminal or tortious act in violation of the Constitution or laws of the United States or of any State; or

"(iii) the value of the information obtained exceeds \$5,000"; and

(iv) in subparagraph (C) (as redesignated), by striking "such subsection" and inserting "this section";

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) by striking "(a)(4) or (a)(5)(A)" and inserting "(a)(4), (a)(5)(A), (a)(5)(B), or (a)(7)"; and

(II) by striking "such subsection" and inserting "this section"; and

(ii) in subparagraph (B)—

(I) by striking "(a)(4) or (a)(5)" and inserting "(a)(4), (a)(5)(A), (a)(5)(B), (a)(5)(C), or (a)(7)"; and

(II) by striking "such subsection" and inserting "this section"; and

(D) by striking paragraph (4);

(3) in subsection (d), by inserting "subsections (a)(2)(A), (a)(2)(B), (a)(3), (a)(4), (a)(5), and (a)(6) of" before "this section.";

(4) in subsection (e)—

(A) in paragraph (2)—

(i) by striking "Federal interest" and inserting "protected";

(ii) in subparagraph (A), by striking "the use of the financial institution's operation or the Government's operation of such computer" and inserting "that use by or for the financial institution or the Government"; and

(iii) by amending subparagraph (B) to read as follows:

"(B) which is used in interstate or foreign commerce or communication";

(B) in paragraph (6), by striking "and" the last place it appears;

(C) by striking the period at the end of paragraph (7) and inserting "; and"; and

(D) by adding at the end the following new paragraphs:

"(8) the term 'damage' means any impairment to the integrity or availability of data, a program, a system, or information, that—

"(A) causes loss aggregating at least \$5,000 in value during any 1-year period to one or more individuals;

"(B) modifies or impairs, or potentially modifies or impairs, the medical examination, diagnosis, treatment, or care of one or more individuals;

"(C) causes physical injury to any person; or

"(D) threatens public health or safety; and

"(9) the term 'government entity' includes the Government of the United States, any State or political subdivision of the United States, any foreign country, and any state, province, municipality, or other political subdivision of a foreign country."; and

(5) in subsection (g)—

(A) by striking ", other than a violation of subsection (a)(5)(B)."; and

(B) by striking "of any subsection other than subsection (a)(5)(A)(ii)(II)(bb) or (a)(5)(B)(ii)(II)(bb)" and inserting "involving damage as defined in subsection (e)(8)(A)".●